

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELADIA DUCHIMAZA,
on behalf of herself and all others similarly situated,

Plaintiff,

v.

NIAGARA BOTTLING, LLC,

Defendant.

21 Civ. 6434 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On August 5, 2022, the Court granted in full defendant Niagara Bottling, LLC's motion to dismiss plaintiff Eladia Duchimaza's complaint, with prejudice to all claims except the claim for breach of express warranty. Dkt. 40. The Court directed Duchimaza to move for leave to replead that claim by August 12, 2022. Dkt. 40. Because Duchimaza has not so moved, the Court respectfully directs the Clerk of Court to close the case.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: August 16, 2022
New York, New York